GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA

STARRED QUESTION NO:247
ANSWERED ON:15.03.2007
CASTE CERTIFICATES TO MIGRANT SCs/OBCs
Nayak Smt. Archana

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether the Union Government has issued any guidelines regarding the issue of caste certificates to persons belonging to Scheduled Castes/Scheduled Tribes/OBCs who have migrated to other States, especially to Delhi, to enable them get these certificates easily at the place of migration for securing educational and employment facilities available under the Union Government on the basis of the caste certificates issued to them or to their parents in their home States;

(b) if so, the details thereof; and

(c) if not, the steps proposed and the time frame fixed for issue of the guidelines?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (SMT. MEIRA KUMAR)

(a) to (c) A Statement is laid on the Table of the House.

Statement in answer to Part(a),(b) & (c) of the Lok Sabha Starred Question No. 247, dated 15.03.2007, by Shrimati Archana Nayak, regarding, `Caste Certificates to Migrant SC.`

(a):- No separate guidelines have been issued to the Govt. of National Capital Territory of Delhi.

(b):- Does not arise.

(c):- However, the Ministry of Home Affairs, in its letter No. BC 16014/1/82-SC&BCD-I, dated 18.11.1982 addressed to the Chief Secretaries of all State Governments and Union Territory Administrations, had stated that the prescribed authority of a State Government /Union Territory Administration may issue the Scheduled Caste/Tribe certificate to a person who has migrated from another State, on the production of the genuine certificate issued to his father/mother by the prescribed authority of the State of the father`s/mother`s origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the caste/tribe in question is scheduled or not in relation to the State/Union Territory to which the person has migrated. This facility does not alter the Scheduled Caste/Scheduled Tribe status to the person in relation to the one or the other. The Ministry of Home Affairs in its subsequent letter No. BC 16014/1/82-SC&BCD.I, dated 22.02.1985, addressed to the Chief Secretaries of all State Governments and Union Territory Administrations clarified that a Scheduled Caste/Tribe person who has migrated from the State of origin to some other State for the purpose of seeking education, employment etc. will be deemed to be a Scheduled Caste/Tribe of the State of his origin and will be entitled to derive benefits from the State of origin and not from the State to which he has migrated.

Further, in regard to reservation in educational institutions and employment under the Central Government, all Scheduled Castes, Scheduled Tribes are eligible for reservation irrespective of their nativity in regard to a State/Union Territory.

As regards Other Backward Classes (OBC), the Ministry of Welfare in its letter No. 12011/11/94-BCC(C), dated 08.04.2004, addressed to Chief Secretaries of all State Governments and Union Territory Administrations, had stated that it has been decided that the prescribed authority of a State/Union Territory Administration in terms of the letter No. 36012/22/93-Estt. (SCT), dated 15.11.1993 of Department of Personnel & Trading, may issue the OBC certificate to a person who has migrated from another State on the production of genuine certificate issued to his father by the prescribed authority of the State of his father`s origin, except where the prescribed authority feels that a detailed enquiry is necessary through the State of origin, before the issue of the certificate. The certificate will be issued irrespective of whether the OBC candidate in question is included in the list of OBC pertaining to the State/Union Territory to which the person has migrated. This facility does not alter the OBC status of the person in relation to the one or the other State/Union Territory and such a person on migration from the State/Union Territory of his origin to another State/Union Territory where his caste is not included in the OBC list, is entitled to the concessions/benefits admissible to the OBCs from the State of his origin and Union Government but not from the State where he has migrated.